

by written report, thereafter notify the Belmont Police Department of said fact unless said minor is accompanied by his or her parent, parents or legal guardian or other adult person having care, custody or control of the minor and the above-referenced adult is in attendance while the hotel, motor court or trailer court premises is in use by the minor or when the minor is married or has been emancipated in accordance with California Family Code § 7000 et seq.

(Ord. No. 913, § 1, 12-10-96; Ord. No. 941, § 1, 2-23-99)

**Sec. 15-60. Minor possessing tobacco for use; prohibited.**

It is shall be unlawful for any person under the age of eighteen (18) years to use, or to have in their possession for the purpose of using, any cigars or cigarettes made of tobacco, or to use tobacco in any form.

(Ord. No. 941, § 1, 2-23-99)

**Secs. 15-61—15-66. Reserved.**

**ARTICLE IV. SALE OF DRUG  
PARAPHERNALIA TO MINORS AND  
MINORS SOLICITATION OF ALCOHOLIC  
BEVERAGE PURCHASE\***

**Sec. 15-67. Purpose.**

The sale of alcohol, drugs and narcotics paraphernalia in business establishments, open to the public and frequented by minors, tends to induce acquisition and use by minors for smoking, injection or consumption of controlled substances and alcohol. Possession and use of controlled substances are prohibited or limited, by the Controlled Substances Act, California Health and Safety Code, Section 11000 et seq. It is the intent and purpose of this article to prohibit the sale of drug and narcotic paraphernalia to minors and thereby curb the use of illicit and harmful drugs

\*Editor's note—Ord. No. 678, § 1, adopted June 24, 1980, added Ch. 28 to the Code; however, in order to classify the subject matter of the ordinance with similar provisions, the editor has redesignated the provisions as Ch. 15, Art. IV, §§ 15-67—15-71. Subsequently, Ord. No. 951, § 1, adopted July 11, 2000, amended Art. IV, §§ 15-67—15-71 and added § 15-72 to read as herein set out.

and narcotics by minors in the interest of their mental and physical health. It is the further purpose of this article to prohibit minors' solicitation of alcoholic beverage purchases within the city.

(Ord. No. 678, § 1, 6-24-80; Ord. No. 951, § 1, 7-11-00)

**Sec. 15-68. Prohibited—Drug paraphernalia sales.**

No owner, manager, proprietor or other person in charge of any room in any place of business selling, or displaying for the purpose of sale, any opium pipe or device that could be used to smoke or otherwise ingest any controlled substance, device, contrivance, instrument or paraphernalia for smoking, injecting or consuming any controlled substance, as specified in the California Health and Safety Code, other than prescription drugs and devices to ingest or inject prescription drugs, shall offer to sell, sell or give to any person under the age of eighteen (18) years such paraphernalia.

(Ord. No. 678, § 1, 6-24-80; Ord. No. 951, § 1, 7-11-00)

**Sec. 15-69. Minors' purchase of drug paraphernalia prohibited.**

A person under the age of eighteen (18) years shall not buy, offer to buy or accept as a gift any opium pipe, device, contrivance, instrument or paraphernalia for unlawfully smoking or injecting or consuming any controlled substance, prohibited under the Controlled Substances Act, other than devices to ingest or inject prescription drugs.

(Ord. No. 678, § 1, 6-24-80; Ord. No. 951, § 1, 7-11-00)

**Sec. 15-70. Sign prohibiting sale of drug paraphernalia to minors.**

Each owner, manager, proprietor or other person in charge of any room in any place of business selling, or displaying for the purpose of sale, any opium pipe, device, contrivance, instrument or paraphernalia for smoking, injecting or consuming any controlled substance as specified in the California Health and Safety Code, shall prominently display a sign therein, in letters not less



than two (2) inches in height, words to the effect that offering to sell or give to any person under the age of eighteen (18) years of any such paraphernalia, or offering to buy, buying or accepting as a gift by a person under the age of eighteen (18) years of any such paraphernalia, is prohibited. Such sign shall cite this article of the Code as the basis for the prohibition.

(Ord. No. 678, § 1, 6-24-80; Ord. No. 951, § 1, 7-11-00)

#### **Sec. 15-71. Minors' solicitation of alcoholic beverage purchases.**

It is unlawful for any minor, whether on public or private property, to solicit another person to purchase or to furnish an alcoholic beverage for the minor from an off-sale alcohol retailer.

This section shall not apply to a minor's solicitation of another person for the purchase of an alcoholic beverage from an on-sale alcohol retailer.

This section shall not apply to a minor's actual or attempted direct purchase of an alcoholic beverage from an alcohol retailer.

(Ord. No. 951, § 1, 7-11-00)

#### **Sec. 15-72. Violations a nuisance.**

A violation of any of the provisions of this article is hereby declared to be a public nuisance and may be abated pursuant to the provisions of this Code. This remedy is in addition to any other remedy provided by law, including the criminal penalty provisions applicable for violation of the terms and provisions of this Code.

(Ord. No. 951, § 1, 7-11-00)

#### **Secs. 15-73—15-80. Reserved.**

### **ARTICLE V. PROHIBITED USES OF TRAILERS AND RECREATIONAL VEHICLES**

#### **Sec. 15-81. Definitions.**

For purposes of this article, the following words and phrases shall mean and include:

- (b) *House car* means a motor vehicle originally designed or permanently or temporarily altered and equipped for human habitation, or to which a camper has been permanently or temporarily attached.
- (c) *Person* means an individual, firm, partnership, joint adventure, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit excepting the United States of America, the State of California and any political subdivision of either thereof.
- (d) *Trailer coach* means a structure designed to be drawn by a motor vehicle for human habitation, or human occupancy, for carrying persons or property on its own.
- (e) *Any other motor vehicle, car, truck or bus, etc.*, means those motor vehicles, cars, trucks, buses, etc., that are used for the purposes as described in this section.
- (f) *Recreational vehicle* is a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational occupancy.

(Ord. No. 726, § 1, 11-27-84)